

# EXHIBIT C

I R E L L & M A N E L L A L L P .

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May 27, 2004

VIA FACSIMILE

Claire Laporte, Esq.  
Foley Hoag LLP  
155 Seaport Boulevard  
Boston, MA 02210-2600

Re: Columbia University

Dear Ms. Laporte:

I write to address two serious issues with regard to the Reply to Columbia's Opposition to Biogen and Genzyme's Motion for a Preliminary Injunction (the "Reply") and the Appendix in support thereof (the "Appendix") submitted by Biogen and Genzyme on May 26, 2004.

First, Exhibit 3 of the Appendix attached substantial portions of the October 27, 2003 Amendment to Columbia's pending U.S. Serial No. 08/477,159 (the "'159 application"). The Reply also quotes a portion of the October 27, 2003 Amendment. In particular, the Appendix and Reply excerpt proposed claims for the '159 application. The prosecution history for the '159 application is confidential. Neither Biogen, Genzyme, nor any other entity is entitled to view the contents of the '159 application prosecution history. By including major portions of the October 27 Amendment in the Appendix and Reply, Biogen and Genzyme have published Columbia's trade secrets without authorization. We ask that you immediately take the following steps: (1) retrieve and destroy all portions of the '159 application prosecution history within the custody or control of Biogen and Genzyme; (2) fully cooperate with Columbia in attempting to recover all copies of any portion of the '159 Application prosecution history released to any other entities; (3) immediately make arrangements with the Court to prevent any entity from obtaining the excerpts from the October 27 Amendment contained in the Appendix and Reply. In addition, please provide answers to the following questions in as much detail as possible: what portions of the '159 application prosecution history are in the possession of Biogen and Genzyme; how did Biogen and Genzyme obtain these portions of the '159 application prosecution history; what other entities possess portions of the '159 application prosecution history, and how did they obtain these portions of the '159 application prosecution history?

IRELL & MANELLA LLP  
A REGISTERED LIMITED LIABILITY LAW PARTNERSHIP  
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Claire Laporte, Esq.  
May 27, 2004  
Page 2

Second, Exhibits 1 and 2 to the Appendix attach unredacted copies of the December 1993 License Agreement between Biogen and Columbia and the February 1994 License Agreement between Genzyme and Columbia (the "License Agreements"). These License Agreements are highly confidential, and contain sensitive commercial information, the release of which damages Columbia. Biogen and Genzyme have no right to release unredacted versions of these License Agreements to the public or to the other Plaintiffs in this action without Columbia's permission. We ask that you immediately take the following steps: (1) fully cooperate with Columbia in attempting to recover all copies of the License Agreements released to unauthorized parties; (2) immediately make arrangements with the Court to prevent any other Plaintiffs or members of the public from obtaining an unredacted copy of the License Agreements.

Columbia reserves all of its rights concerning the disclosure of Columbia's confidential information and trade secrets by Biogen and Genzyme, and nothing in this letter should be construed to limit any claim Columbia may have against Biogen, Genzyme or any other entity.

Please inform me in writing whether you agree to the steps identified in this letter by the end of the day tomorrow, May 28, 2004. In addition, please provide the information requested in this letter by June 4, 2004.

Very truly yours,



Jason G. Sheasby